

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

CRIMINAL MISC.APPLICATION No 3656 of 1996

For Approval and Signature:

Hon'ble MR.JUSTICE A.R.DAVE

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1. Whether Reporters of Local Papers may be allowed to see the judgements?
2. To be referred to the Reporter or not?
3. Whether Their Lordships wish to see the fair copy of the judgement?
4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder?
5. Whether it is to be circulated to the Civil Judge?

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Versus

[STATE OF GUJARAT

Appearance:

MR YN RAVANI for Petitioner

MR. M.R.ANAND, LD.PP with MR.K.P.RAVAL,LD.APP for
Respondent No.1.

CORAM : MR.JUSTICE A.R.DAVE

Date of decision: 21/08/96

ORAL JUDGEMENT

Leave to amend so as to convert present Misc.
Cri. Application into Spl. Criminal Application.

Rule. Mr. M.R.Anand, Ld. Senior Advocate with
Mr. K.P. Raval, Ld. APP appears for the respondent and
waives service of Rule.

Ld. Counsel Mr. Ravani appearing for the petitioner submitted that the respondent authorities are constraining the petitioner to compound certain offences against his willingness. Ld. Advocate Mr Anand fairly stated that the respondent authorities cannot constrain any person to compound any offence against his willingness and he further assured the court that the petitioner would not be constrained to compound any offence which might be pending against him. The said statement has been made by Learned Advocate Mr. Anand without prejudice to the right of RTO authorities under the provisions of Sec. 53 & 83 of M.V. Act, 1988.

Mr. Ravani further submitted that at times, RTO authorities are not entertaining applications made by the petitioner. Mr. Anand submitted that normally all applications are being looked into by the concerned authority and appropriate action is taken and, therefore, above-referred grievance made by the petitioner is not proper.

Without going into correctness of statements made by both the parties to the petition, it is directed that if and when any application is made by the petitioner, the said application would be decided in accordance with law by the respondent authorities.

In view of the aforesaid directions, the grievance of the petitioner does not survive and, therefore, the petition stands disposed of accordingly. Rule is discharged.

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